

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

NO. 1:18-CR-92-MR-WCM

UNITED STATES OF AMERICA)	
)	
v.)	MOTION TO RECONSIDER
)	
JAMES E. MACALPINE,)	
Defendant)	

The Defendant, through undersigned counsel, hereby moves the Court to reconsider the Court's Order, entered January 2, 2019, in which the Court indicated its intent to conduct the voir dire examination of the potential jury trial in this case. In that Order, the Court invited the parties to submit questions for the Court to include in its voir dire examination no later than January 10, 2019.

At the time of the Order, the Court understood that the Defendant, Mr. James E. MacAlpine, was proceeding pro se in his trial scheduled to commence on Monday, January 14, 2019. As of late today, January 9, 2019, the Defendant has heeded the advice of the Court in an earlier hearing and he has elected to forego his pro se status and he has elected to be represented by the undersigned counsel as his defense counsel. In light of this change, the Defense requests that the Court revisit its sua sponte Order and enter a new Order that allows counsel for both parties to conduct limited voir dire after the Court conducts its examination of the potential jury panel in this case.

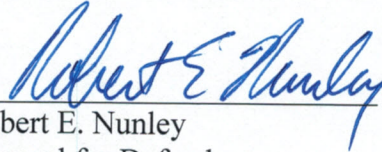
I have consulted with the assigned Assistant United States Attorney in this case, Mr. Daniel Bradley, and he concurs in this request.

WHEREFORE, the Defendant through counsel and with the concurrence of the Government requests that the Court reconsider its Order issued on January 2, 2019 and

enter a new Order allowing counsel to conduct limited voir dire of the potential jury panel in this matter, as is the Court's usual practice.

Respectfully submitted this the 9th day of January, 2019.

NUNLEY & ASSOCIATES, P.L.L.C.



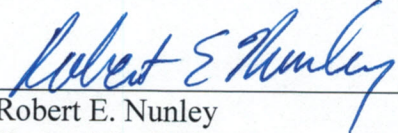
Robert E. Nunley
Counsel for Defendant
P.O. Box 111
Green Mountain, NC 28740
(919) 616-8545
North Carolina Bar # 25905
marinejudge@gmail.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was served via CM/ECF upon:

Daniel V. Bradley
Assistant United States Attorney for the Western District of North Carolina
United States Attorney's Office
Federal Courthouse
100 Otis Street, 2d Floor
Asheville, NC 28801

NUNLEY & ASSOCIATES, PLLC



Robert E. Nunley
Counsel for Defendant